

FELICE JOHN VITI, Acting United States Attorney (#7007)  
Attorney for the United States of America  
111 South Main Street, Ste. 1800 • Salt Lake City, Utah 84111  
Telephone: (801) 524-5682

---

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

---

<p>UNITED STATES OF AMERICA, Plaintiff, vs. PLASTIC SURGERY INSTITUTE OF UTAH, INC.; MICHAEL KIRK MOORE JR.; and KRISTIN JACKSON ANDERSEN, Defendants.</p>	<p>Case No. 2:23-cr-00010-HCN UNITED STATES' MOTION FOR LEAVE TO DISMISS INDICTMENT WITH PREJUDICE Judge Howard C. Nielson, Jr.</p>
--	---

---

The United States, by and through the undersigned Acting United States Attorney, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby moves for leave of the Court to dismiss the Second Superseding Indictment in the above-captioned case, with prejudice. The basis for the motion is that such dismissal is in the interests of justice.

Through counsel, Defendants Plastic Surgery Institute of Utah, Michael Kirk Moore Jr., and Kristen Andersen have stipulated that they are not a “prevailing party” for purposes of the Hyde Amendment. See P.L. 105-119, § 617, 111 Stat. 2440, 2519; 18 U.S.C. § 3006A note.

WHEREFORE, for the reason set forth above, the United States respectfully requests that this Court grant this motion.

Respectfully submitted,

/s/ Felice John Viti  
FELICE JOHN VITI  
Acting United States Attorney